IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1146 OF 2005
IN
EXECUTION APPLICATION NO.148 OF 2002
IN
ARBITRATION REFERENCE NO.385 OF 2001

Emmel Financial Services Applicant

versus

Nikko Stock Brokers Pvt.Ltd. Respondent

and

Mayuresh Real Estate Management Pvt.Ltd. and another Respondents

Mr.H.M.Thakore i/by Thakore Jariwala for applicants.

Mr.P.M.Shah with Mr.A.Y.Sakhare for respondent no.2.

Mr.G.B.Kedia for respondent no.1.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 10th April 2006

PC :

1. The advocates appearing for the contesting parties agree that the remedy of the applicant is to take out appropriate proceedings and/or file a civil suit to prove his right, title and interest in the property which is subject matter of

attachment. To enable the applicant to do so, it is directed that as agreed between the parties and recorded in the minutes, the attachment will continue for a period of six weeks from today. The said attachment would be subject to the orders passed in proceedings taken out in the civil suit. Parties agree that the civil suit would also be filed within this period. The minutes of order taken on record and marked "X" for identification. Order in terms of minutes. Chamber Summons disposed of with liberty. All contentions of both sides on merits are expressly kept open.

(S.C.DHARMADHIKARI, J.)